

Message Text

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70

ACTION EB-07

INFO OCT-01 ARA-06 ISO-00 INRE-00 NSCE-00 SSO-00 CAB-02

CIAE-00 COME-00 DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00

SS-15 NSC-05 L-02 PA-01 PRS-01 USIE-00 /047 W

----- 043293

O R 252220Z FEB 75

FM AMEMBASSY LIMA

TO SECSTATE WASHDC IMMEDIATE 4065

INFO AMEMBASSY BUENOS AIRES

AMEMBASSY LA PAZ

AMEMBASSY QUITO

C O N F I D E N T I A L LIMA 1585

EO 11652: XGDS1

TAGS: EAIR, PE

SUBJECT: CIVAIR - DISPUTE WITH PERU

REF: LIMA 1531, STATE 039617

1. DCM CALLED ON FONMINISTRY UNDER SECRETARY POLITICAL AFFAIRS MARCHAND TODAY TO INFORM LATTER OF CAB SHOW CAUSE DIRECTIVE AND GIVE HIM COPY OF CAB PRESS RELEASE THIS SUBJECT. MARCHAND READ PRESS RELEASE CLOSELY, AND THEN ASKED WHAT ISSUES ARE CONTINUING TO BOTHER USG AND BRANIFF. DCM REPLIED THAT PROPOSED POOL ARRANGEMENT AND THE MANY, SOMETIMES ARBITRARY LIMITATIONS ON BRANIFF FREQUENCIES IMPOSED BY DGTA MAKE IT UNFEASIBLE AND UNECONOMIC FOR BRANIFF TO COMPLY, AND IN SOME REPECTS THESE RESTRICTIONS DIRECTLY CONTRAVENE PROVISIONS OF THE BILATERAL CIVIAL AIR AGREEMENT.

2. MARCHAND THEN TURNED TO AEROPERU STATEMENT ON STATUS OF AIRLINE-TO-AIRLINE NEGOTIATIONS AS OF FEBRUARY 17, AND STRESSED THAT NEITHER GOP NOR AEROPERU IS INSISTING ON A POOL ARRANGEMENT. HOWEVER, HE READILY CONCEDED THAT USG AND BRANIFF WOULD HAVE PROBLEMS IN ACCEPTING REDUCED FREQUENCIES PROPOSED BY AEROOPERU FOR FLIGHTS TO U.S. AND
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TO THIRD COUNTRIES.

3. DCM COMMENTED TO MARCHAND THAT WE HOPE AIRLINE-TO-AIRLINE TALKS WILL RESUME, AND THAT AEROPERU SHOULD NOT, AS SUGGESTED IN TODAY'S PRESS COVERAGE, RELY ONLY ON ITS WASHINGTON LAWYERS' EFFORTS BEFORE A CAB HEARING. DCM COMMENTED THAT IN CONTRAST TO WHAT AEROPERU LAWYER GULMAN AND TODAY'S PRESS STORIES INDICATE, IT IS UNLIKELY THAT AEROPERU COULD CARRY THE DAY IN SUCH A CAB HEARING, PARTICULARLY IN VIEW OF THE WELL DOCUMENTED RECORD OF GOP'S REFUSAL TO DATE TO ABIDE BY ALL PROVISIONS OF BILATERAL CIVIL AIR AGREEMENT. DCM THEN MENTIONED AMBASSADOR-DESIGNATE ARCE'S HAVING TOLD AMBASSADOR OF FONMIN DE LA FLOR'S REPORTED INSTRUCTIONS TO GENERAL SOTO OF AEROPERU TO GET THE AIRLINE-TO-AIRLINE NEGOTIATIONS STARTED ONCE AGAIN. DCM COMMENTED THAT BRANIFF HAS BEEN WAITING SINCE LATE LAST WEEK FOR THE PROMISED CALL FROM AEROPERU, AS INDICATED BY ARCE, TO RESUME THESE TALKS. DCM REPEATED WHAT AMBASSADOR HAD PREVIOUSLY SAID, NAMELY THAT BRANIFF PRINCIPALS IN U.S. WOULD BE AVAILABLE ON SHORT NOTICE FOR RESUMPTION OF SUCH TALKS.

4. MARCHAND PICKED UP THIS REFERENCE TO BRANIFF WILLINGNESS TO RESUME TALKS AND SAID HE WOULD IMMEDIATELY INFORM FONMIN DE LA FLOR AND SECGEN GARCIA BEDOYA THAT BRANIFF REPRESENTATIVES ARE AWAITING A NEW AEROPERU OVERTURE SO AS TO RESUME TALKS. MARCHAND COMMENTED THAT HE THOUGHT THAT ONCE SUCH TALKS BEGAN THERE WOULD BE SOME FLEXIBILITY IN GOP/AEROPERU POSITION AND THAT IT SHOULD BE POSSIBLE TO ARRIVE AT A SATISFACTORY AGREEMENT. WHEN DCM REMARKED THAT AEROPERU'S RECENT OFFERS HAVE BEEN INCREASINGLY UNACCEPTABLE RATHER THAN MORE ACCEPTABLE, MARCHAND'S RESPONSE WAS TO EFFECT THAT IF A MATTER AS COMPLEX AS THE GREENE SETTLEMENT COULD BE WORKED OUT THEN SURELY A CIVIL AIR AGREEMENT COULD LIKEWISE BE REACHED.

5. COMMENT: AS OF 4:00 PM TODAY BRANIFF REPRESENTATIVES HAVE NOT RECEIVED THE PROMISED CALL FROM AEROPERU REGARDING A RESUMPTION OF NEGOTIATIONS. IT REMAINS TO BE SEEN WHETHER THE FONMINISTRY IS WILLING TO, AND INDEED CAN, GET GENERAL SOTO TO PICK UP THE TELEPHONE TO CALL THE

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BRANIFF REPRESENTATIVES.
DEAN

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CIVIL AVIATION, DIPLOMATIC DISCUSSIONS, AIR ROUTES, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 25 FEB 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975LIMA01585
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: X1
Errors: N/A
Film Number: D750066-0744
From: LIMA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750215/aaaaanmv.tel
Line Count: 109
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Review Markings:

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05 JUL 2006

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Review Withdrawn Fields: n/a
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TAGS: EAIR, PE, US, BRANIFF, AEROPERU
To: STATE
Type: TE
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